

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

CHAMBERS OF  
LOIS H. GOODMAN  
UNITED STATES MAGISTRATE JUDGE

CLARKSON S. FISHER U.S. COURTHOUSE  
402 EAST STATE STREET  
ROOM 7050  
TRENTON, NJ 08608  
609-989-2114

August 27, 2019

**LETTER ORDER**

**Re: THE DORIS BEHR 2012 IRREVOCABLE TRUST v.  
JOHNSON & JOHNSON  
Civil Action No. 19-8828 (MAS) (LHG)**

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Dear Counsel:

This matter has been opened to the Court by way of a Motion to Intervene filed by California Public Employees Retirement System and Colorado Public Employees Retirement Association (collectively “Proposed Intervenor”). [Docket Entry No. 21]. Plaintiff filed an Opposition. [Docket Entry No. 29].

Proposed Intervenor argues that they meet the standard in Fed. R. Civ. P. 24(a) to intervene as of right or, in the alternative, should be granted permissive intervention under Fed. R. Civ. P. 24(b). [See generally Docket Entry No. 21-1]. Plaintiff contends that the Motion to Intervene should be denied because the Proposed Intervenor did not include a proposed pleading along with their Motion, that sets out the claim or defense for which intervention is sought. [See generally Docket Entry No. 29].

Although Plaintiff is technically correct, the Proposed Intervenor cured this deficiency when they filed their Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6) [see generally Docket Entry No. 24], which was filed days before Plaintiff’s opposition. [Docket Entry No. 29]. In light of the Proposed Intervenor’s correcting this deficiency and Plaintiff not opposing the Motion on any other grounds, the Motion to Intervene [Docket Entry No. 21] is hereby granted.

**IT IS SO ORDERED.**



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LOIS H. GOODMAN  
United States Magistrate Judge